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SECRET

6 July 1963

MEMORANDUM FOR THE DIRECTOR

SUBJECT: A NATO-Warsaw Pact Nonaggression Treaty

1. Khrushchev's proposal of 2 July links one aspect of the German problem with nuclear disarmament. For the present at least, the Soviets apparently intend to maintain this link, although only the Moscow talks can show how firmly or how long they will hold to this position. However, if they do strenuously insist on simultaneous agreements they would, in effect, be putting a new price tag on a test ban, and indicating that they are less interested in stopping tests than in seeking Western concessions in Central Europe.

2. Three explanations for Khrushchev's gambit suggest themselves. The Soviets may believe that Western interest in the test ban offers an opportunity for them to make some progress on the German question by an indirect route. They have hinted that as compensation for Western concessions on the European status quo, the Berlin question would remain quiescent (e.g., Dobrynin's comment that a nonaggression treaty would make the chances of a new Berlin crisis far less). The treaty plus the wall would constitute

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considerable progress for Soviet policy in Germany, although still well short of the maximum objectives of this policy.

3. On the other hand, the Soviets may intend to use the non-aggression treaty not only to block a test ban but to exploit strains in NATO. They must anticipate strong resistance from West Germany and they probably expect de Gaulle to support Bonn. By insisting on a link between the two issues of a test ban and NATO-Warsaw Pact treaty, they could expect to generate considerable friction in NATO, particularly in view of the strong pressure on Macmillan to secure some success in foreign policy.

4. We note a third possibility: namely, that the Soviet move in fact reflects a significant turn in foreign policy. It may be that the Soviets, as a result of their troubles with Communist China and possibly influenced also by internal considerations, have decided to press for some real and lasting relaxation of tensions with the West.

5. Just what Khrushchev has in mind should be considerably clarified by the forthcoming negotiations. The extent of his interest in a settlement should be demonstrated by how adamant the Soviets are in holding to a linkage of the two issues, or how flexible they show themselves in working out the terms and form of a nonaggression treaty. Their attitude will also be reflected

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in their handling of underground testing. If they do not return to their former insistence on an unimpeded moratorium, on underground tests, then their offer of a partial test ban would represent a major change in position.

Background

6. A proposal for a nonaggression treaty has existed in one form or another since 1955, when the Soviets introduced the idea of a European security pact and a declaration renouncing the use of force. For some time, European security was directly linked to German unity. However, the idea of European security was considered separately from the German question during the disarmament negotiations of 1956-1957. In May 1959, the Soviets formally proposed a nonaggression pact between the two treaty organizations, or between certain members. In the negotiations over Berlin in 1959, the European security concept was again involved with an over-all settlement of the German problem.

7. The latest Soviet effort on the nonaggression pact has gradually built up since September 1961, when Gromyko listed it as one of several partial disarmament measures which could be negotiated. During the bilateral US-Soviet discussions on Berlin in 1962 the Soviets included a nonaggression treaty as part of their package settlement. It was immediately revived after the Cuban crisis in Khrushchev's exchange of letters with President Kennedy, and formally tabled at the Geneva conference on 20 February.

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Disadvantages

8. Western resistance to this proposal has rested on the recognition that it offers a number of obvious disadvantages. As a practical measure it would do little more than reaffirm existing pledges already in the UN Charter and the NATO treaty. As a political measure, however, it would to an extent depending on the terms of the agreement, "normalize" the European political situation, which the Soviets always interpreted as meaning "legalization" of the status quo, i.e., the continued division of Europe into power blocs and the continued division of Germany.

9. A further disadvantage is that the nonaggression treaty would not provide any assurances for Berlin, and might even tend to inhibit certain US policies. For example, under the terms of the proposed treaty the US would probably be obliged to negotiate with East Germany should a "dispute" arise over Berlin, or should a situation arise which the Warsaw pact considered a "danger to the preservation of peace and security." In any case, some recognition of East Germany is implicit in the Soviet text of a nonaggression treaty, since members of both treaty organizations would have to ratify the new instrument.

10. However, the Soviets might be receptive to various ways of softening these objectionable features. East German recognition

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might be avoided by an exchange of declarations by the Secretary General of NATO and a corresponding official of the Warsaw pact; the Soviets did not reject such a suggestion when it was made by the US. The treaty or exchange of declarations might be enlarged in such a way that it would explicitly allow for German unification or at least not prejudice the West from raising this issue. Moreover, the negotiations over the content of a treaty might provide a lead-in for the West to obtain new guarantees for Berlin.

11. Any nonaggression pact, however, or even any considerable discussion of one, involves certain disadvantages for present US objectives in NATO. It would be more difficult than ever to convince other NATO members of the need for further expenditures of manpower, money, and equipment to meet NATO goals if there appeared to be a considerable improvement in the international atmosphere. The chances of implementing the MLF or other nuclear force projects would probably be considerably reduced. If the Germans were discontent and had gone along grudgingly then they might draw closer to France. In sum, a relaxation of tensions, whether apparent or real, might lead to an over-relaxation in such allied efforts as the US would still feel required for adequate Western defense.

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Advantages

12. On the positive side, the present proposals would permit the US to continue underground nuclear testing, provided the Soviets do not insist on a moratorium, a possibility we do not exclude. If the Soviet interest in a nonaggression pact is real, then Western agreement will give the Soviets an added reason for maintaining the test ban.

13. The nonaggression treaty might also be turned against the Soviets in Berlin, since it would provide an additional way of calling them to account for any friction or disputes. For example, almost any interference with access or use of troops in a threatening way in Berlin might be immediately protested to the Soviets as a violation of the treaty.

14. Soviet agreement with the West would also almost certainly have some additional benefits in terms of widening the rift with China. Peiping would reject the test ban and complain over Soviet weakness in signing a nonaggression treaty. The Sino-Soviet dispute, however, has its own motivation and momentum, and a nonaggression treaty would not necessarily intensify it.

15. Although NATO might suffer from a more relaxed atmosphere, this is perhaps the inevitable aftermath of any agreement on any major issue with the USSR. The new atmosphere after an agreement might also be turned to Western advantage. In Cuba and Laos, for example, the

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Soviets might feel under new inhibitions not to support a belligerent policy. Castro might even become somewhat concerned over the trend of Soviet policy and consider trying to negotiate his own settlement with the US.

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